

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-14027-CR-ROSENBERG

UNITED STATES OF AMERICA,
Plaintiff,

vs.

BLAINE HULTEN,
Defendant.

_____ /

STIPULATION TO DEFENDANT'S COMPETENCE TO PROCEED,
REQUEST TO SCHEDULE CASE FOR A STATUS HEARING,
AND WAIVER OF SPEEDY TRIAL

Undersigned counsel hereby stipulates the Defendant, Blaine Hulten, is competent to stand trial, requests this Court set a status hearing, and agrees to waive speedy trial. Specifically, he states:

1. On July 11, 2022, this Court granted undersigned counsel's Motion for Competency Evaluation. [DE 24].
2. That motion was based on the opinion of Dr. Sheila Rapa, a forensic psychologist, who had evaluated Mr. Hulten. [DE 23]. At that time, she had concluded he was incompetent because his autism diagnosis, obsessive thought, severe perseveration, and his belief he can "read people's emotions" inhibited his ability to consult with his lawyer with a reasonable degree of rational understanding. [DE 23]

3. After several months of observation and evaluation, on January 5, 2023, psychologists at the Bureau of Prisons opined that Mr. Hulten, while autistic, is, in fact, competent to proceed.
4. Upon Mr. Hulten's return to the Southern District of Florida, Dr. Rapa reevaluated him in light of the Bureau of Prisons report and she now agrees he is competent to proceed.
5. Accordingly, undersigned counsel hereby stipulates that Mr. Hulten is competent to proceed and requests this Court cancel the competency hearing currently set for May 12, 2023.
6. As the parties are both preparing for trial and attempting to resolve this matter without the need for trial, they jointly request this Court schedule the case for a status hearing in mid-June.
7. Mr. Hulten agrees to exclude from the speedy trial calculation any time between the date of this pleading and the date the Court schedules the requested status hearing.

Respectfully submitted,

MICHAEL CARUSO
Federal Public Defender

s/ Scott Berry
Scott Berry
Assistant Federal Public Defender
Attorney for the Defendant
Florida Bar No. 0525561
250 South Australian Avenue, Suite 400
West Palm Beach, Florida 33401
(561) 833-6288 - Telephone
Scott_Berry@FD.org

CERTIFICATE OF SERVICE

I HEREBY certify that on April 26, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Scott Berry
Scott Berry